

AGREEMENT FOR VOLUNTARY RIGHT OF WAY DONATION

PROJECT NO: BRF 629SL10 PCN: 01W9 COUNTY/ CITY: Brookings PARCEL NO: \_\_\_\_\_

This Agreement is made and entered into by and between the County/City of Brookings acting by and through its County/City Commission, hereinafter referred to as "COUNTY/CITY," and Elias + Rita Hofer, whose postal address is 4637 197<sup>th</sup> Street Bruce, SD 57220, hereinafter referred to as "DONOR";

WHEREAS, COUNTY/CITY needs the following easements for construction, operation, and maintenance of a highway:

Perpetual Easement: \_\_\_\_\_

Temporary Easement: 0.07 acres ± from Station 0+88-63' RT to Station 1+80-63' RT and Station 14+50-69.7' RT, 99.7' RT to 19+67-51.4' RT, 81.4' RT containing 0.36 acres ±

NOW, THEREFORE, DONOR and COUNTY/CITY hereby agree as follows:

1. DONOR does hereby voluntarily grant and donate to COUNTY/CITY, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged by DONOR, the above described easements as shown on the plans for construction of the above cited Project.

Stipulations of conditional donation: No Digging, fix any ruts and reseed grass.

2. DONOR understands DONOR'S right to have an appraisal prepared and DONOR'S right to receive just compensation for the above described perpetual and/or temporary easement in accordance with the Uniform Relocation Assessment and Real Property Acquisition Act of 1970, as amended.

3. DONOR shall not erect fences, structures, or obstacles within the perpetual easement.

4. DONOR grants permission to COUNTY/CITY or COUNTY'S/CITY'S agent to enter upon above described easement upon approval of this Agreement.

5. The perpetual easement shall be in effect until the highway is abandoned by the proper action of the COUNTY/CITY Commission and the temporary easement shall be in effect until one (1) year after construction of the Project is completed.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on this 12 day of February in the year 2016.

Donor

County/City of \_\_\_\_\_

By: Eli Hofer

By: \_\_\_\_\_

Name: Eli Hofer

Its: County Commission Chairperson/  
City Mayor

By: \_\_\_\_\_

Attest:

Name: \_\_\_\_\_

\_\_\_\_\_  
County Auditor/City Finance Officer

[County/City Seal]

#### DONOR ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

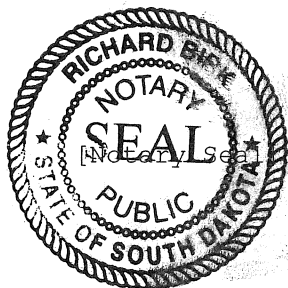
On this the 12 day of February in the year of 2016  
before me, Richard Birk, a Notary Public, within and for said County  
and State, personally appeared Eli Hofer  
known to me to be the person(s) described  
in and who executed the foregoing instrument and acknowledged to me that  
he/she/they executed the same for the purposes therein stated.

In witness whereof I hereunto set my hand and official seal.

Richard Birk

Notary Public

My Commission Expires: 8-20-2020



RECORD OF CALLS/VISITS AND DISCUSSION RECORD  
TO ACCOMPANY DONATION FORM LG-ROW-1

PROJECT NO: BRF 6295(10) PCN: 01W9 COUNTY/CITY: Brookings  
LANDOWNER: Elias & Rita Hofer

NAME OF NEGOTIATOR: Dick Birk, Jeff Anderson  
TITLE: Supt. of Highway

The following document(s) was/were shown and/or explained to the Landowner:

Construction ☒ Right of Way ☒ Right of Way ☒ Other ☐  
Plan Sheet Document(s) Brochures

Call/Visit Number: 1

Time: 9:00 am AM/PM Date: Feb 12, 2016

Visit Location: \_\_\_\_\_

List people present during meeting: Elias Hofer, Jeff Anderson,  
Dick Birk

Notes of the Discussion: No digging, restore grass

Call/Visit Number: 2

Time: \_\_\_\_\_ AM/PM Date: \_\_\_\_\_

Visit Location: \_\_\_\_\_

List people present during meeting: \_\_\_\_\_

Notes of the Discussion: \_\_\_\_\_

Call/Visit Number: 3

Time: \_\_\_\_\_ AM/PM Date: \_\_\_\_\_

Visit Location: \_\_\_\_\_

List people present during meeting: \_\_\_\_\_

Notes of the Discussion: \_\_\_\_\_

Call/Visit Number: 4

Time: \_\_\_\_\_ AM/PM Date: \_\_\_\_\_

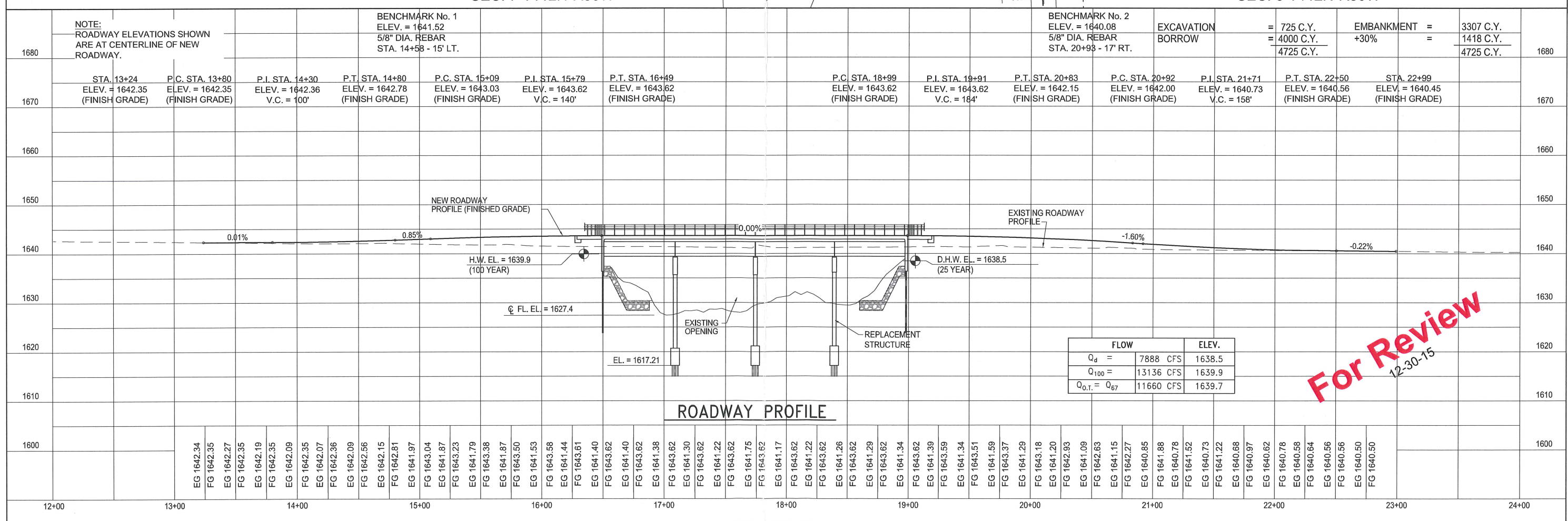
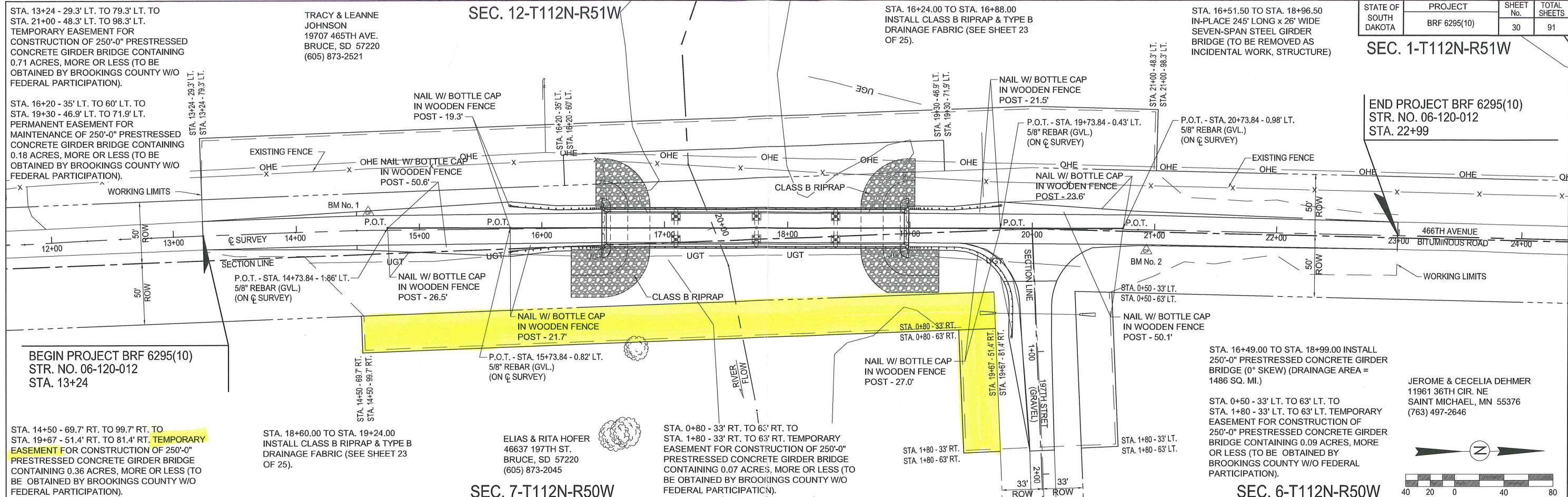
Visit Location: \_\_\_\_\_

List people present during meeting: \_\_\_\_\_

Notes of the Discussion: \_\_\_\_\_

Note: Please indicate in the Notes of Discussion, any agreement made as part of the donation, such as an additional approach, a load of gravel, etc.









United States  
Department of  
Agriculture

## Brookings County, South Dakota



### Common Land Unit

Common Land Unit

Cropland

CRP

Tract Boundary

PLSS

### Wetland Determination Identifiers

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation
- Compliance Provisions



2016 Program Year

Map Created October 29, 2015

Farm 3989

6 -112N -50W

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